

01-22-02

Booster

A

Docket No: AHP 98133 P1  
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Kathleen H. YOUNG, et al.  
Serial No.: Not yet assigned Group Art No.: Not yet assigned  
Filed: January 17, 2002 Examiner: Not yet assigned  
For: METHODS FOR IDENTIFYING MODULATORS OF N-TYPE ION CHANNEL INACTIVATION  
Confirmation No.: Not yet assigned  
Customer Number: 25291

Commissioner for Patents  
Box PATENT APPLICATION  
Washington, DC 20231

10/051843 PRO  
01/17/02

APPLICATION FOR TRANSMITTAL UNDER 37 CFR 1.53 (b)

Transmitted herewith for filing is the patent application of the following Inventor(s):  
Kathleen H. YOUNG and Kenneth J. RHODES;  
For: METHODS FOR IDENTIFYING MODULATORS OF N-TYPE ION CHANNEL INACTIVATION.

1. This new application is for a:  
 Divisional  
 Continuation  
 Continuation-in-part (CIP)
  
2. Benefit of Prior U.S. Application(s) (35 USC 120)  
This new application being transmitted claims the benefit of prior U.S. application(s)  
Serial No. 09/925,999, filed on April 21, 1999.
  
3. Papers enclosed which are required for filing date under 35 CFR 1.53(b):  
 Pages of specification - 34 pages  
 Sequence Listing - 7 pages on  
 CD-ROM or CD-R (1 copy); or  
 Paper  
 Pages of claims - 9 pages  
 Page(s) of abstract - 1 pages  
Sheets of drawing - 3 pages  
 Formal  
 Informal

**CERTIFICATE OF MAILING 37 CFR §1.10**

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL564795713US addressed to the Commissioner for Patents, Box PATENT APPLICATION, Washington, DC 20231.

Date

1/17/02

  
Julia Richie

4. Additional papers enclosed

- Information Disclosure Statement
- Form PTO-1449
- Citations
- Declaration of Biological Deposit
- Computer Readable Form of Sequence Listing
- Statement Under 37 CFR 1.821(f)
- Application Data Sheet
- Other: Limited Recognition Certificate

5. Declaration

- Copy from a prior application (37 CFR 1.63 (d)) is enclosed
- New declaration enclosed and executed by all inventor(s)
- New declaration not enclosed or not executed by all inventor(s)

6. Assignment

An assignment of the invention to:

American Home Products Corporation  
Five Giralta Farms  
Madison, New Jersey 07940-0874

- was made in the prior application and recorded in PTO on , Reel , Frame
- is attached under separate Recordation Form Cover Sheet.
- will follow.

7. Incorporation By Reference

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Section 5 of this transmittal, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

8. Amendments

- Cancel in this application original claims of the prior application before calculating the filing fee. (At least one original independent claim is retained for filing purposes.)
- A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following with the highest numbered original claim in the prior application.)

9. General Authorization:

During the pendency of this application treat any reply requiring a petition for extension of time for its timely submission as containing a request therefor for the appropriate length of time. The Commissioner is hereby authorized to charge all required extension of time fees during the entire pendency of this application to Deposit Account No. 01-1425.

10. Filing Fee Calculation

CLAIMS AS AMENDED				
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA x RATE		(4) BASIC FEE
				\$740.00
TOTAL CLAIMS	7	0	x \$ 18.00	0.00
INDEPENDENT CLAIMS	4	1	x \$ 84.00	84.00
MULTIPLE DEPENDENCY FEE			\$ 280.00	
		Total Filing Fee:		\$824.00

11. Fee payment being made at this time: \$824.00

12. Method of Payment of Fees:  
Charge Deposit Account No. 01-1425 in the amount of \$824.00  
A duplicate of this transmittal is attached.

13. Instructions as to Overpayment:  
Credit any overpayment to Deposit Account No. 01-1425.

14. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. 01-1425:

37 CFR 1.16(a), (f), or (g) filing fees

37 CFR 1.16(b), (c), and (d) presentation of extra claims

37 CFR 1.16(e) surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application.

37 CFR 1.17 application processing fees

15. Relate Back (35 USC 120)  
 Amend the Specification by inserting before the first line the sentence: ---

16. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

(a)  This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application is (are)

the same

less than those named in the prior application and it is requested that the following inventor(s) identified for the prior application be deleted in accordance with the signed statement attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)):

(b)  This application discloses and claims additional disclosure by amendment and a new declaration is being filed. With respect to the prior application the inventor(s) in this application is (are)  
 the same  
 the following additional inventors have been added:

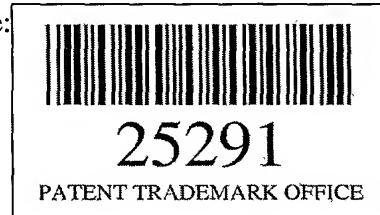
17. Maintenance of Copendency of Prior Application  
(a)  Extension of Time in Prior Application  
 A petition, fee and response extends the term in the pending prior application until  
 A copy of the petition filed in the prior application is attached.  
  
(b)  Conditional petition for Extension of Time in Prior Application.  
 A conditional petition for extension of time is being filed in the pending prior application.  
 A copy of the conditional petition filed in the prior application is attached.

18. REQUEST AND CERTIFICATION UNDER 35 U.S.C 122(b)(2)(B)(i).  
 A request not to publish this application and certification under 35 U.S.C. 122(b)(2)(B)(i) is attached.

19. SEND CORRESPONDENCE TO:

Customer Number: 25291

Bar Code:



DIRECT ALL TELEPHONE CALLS TO:

Name: Gavin T. Bogle  
Tel. No. (617) 665-8079

20.  Return Receipt Postcard is attached.



Gavin T. Bogle

Limited Recognition Under 37 CFR §10.9(b)

American Home Products Corporation  
Patent Law Department  
Five Giralda Farms  
Madison, NJ 07940-0874  
Tel. No. (617) 665-8079

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re of Application of: YOUNG, et al.  
Serial No.: Not yet assigned Group Art No.: Not yet assigned  
Filed: January 17, 2002 Examiner: Not yet assigned  
For: METHODS FOR IDENTIFYING MODULATORS OF N-TYPE ION CHANNEL INACTIVATION  
Confirmation No.: Not yet assigned  
Customer Number: 25291

Commissioner for Patents  
Washington, DC 20231

Sir:

**STATEMENT UNDER 37 C.F.R. §1.821(f)**

I hereby certify that the content of the paper copy required by 37 C.F.R. §1.821(c) and the computer readable form of the Sequence Listings required by 37 C.F.R. §1.821(e) for the above-captioned patent application are the same.

Respectfully submitted,



Gavin T. Bogle  
Attorney for Applicants  
Limited Recognition Under 37 CFR §10.9(b)

American Home Products Corporation  
Patent Law Department  
Five Giralda Farms  
Madison, NJ 07940-0874  
Tel. No. (617) 665-8079

**CERTIFICATE OF MAILING 37 CFR §1.10**

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL564795713US addressed to the Commissioner for Patents, Washington, DC 20231.

Date

1/17/02

  
Julia Richie

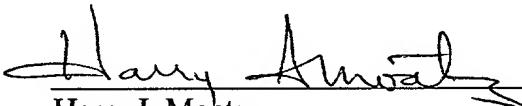
BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATE PATENT AND TRADEMARK OFFICE

**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

Gavin Bogle is hereby given limited recognition under 37 CFR §10.9(b) as an employee of Wyeth-Ayerst, to prepare and prosecute patent applications wherein the assignee of record of the entire interest is American Home Products Corporation, Wyeth-Ayerst Laboratories, Wyeth-Ayerst International, Inc., Wyeth-Ayerst Research, or Genetics Institute. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Gavin Bogle ceases to lawfully reside in the United States, (ii) Gavin Bogle's employment with Wyeth-Ayerst ceases or is terminated, or (iii) Gavin Bogle ceases to remain or reside in the United States on a TN visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: July 8, 2002

  
\_\_\_\_\_  
Harry I. Moatz  
Director of Enrollment and Discipline

AUG 20 2002  
U.S. PATENT & TRADEMARK OFFICE  
EXCELSIOR, CALIFORNIA